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November 9, 2012

Subject: Request for Waiver to Grant Pending Application on Call sign WQON661

To Whom it May Concern,

The City of Methuen is requesting a waiver of the current suspension on acceptance and processing of certain applications related to the 470-512 MHz spectrum band (T-Band), reference FCC Rules and Regulations sections 90.20 and 90.303 Subpart L.

The City of Methuen seeks authorization to modify their current license, [WQON661](#), with pending application (File #: 0005064702) to add repeater frequency pair 484.925 / 487.925 MHz.

The City of Methuen is in the process of upgrading our fire department public safety radio communications system and applied and was granted use of frequencies in the UHF-T band under license WQON661 prior to the recent FCC freeze on new applications. This move to the UHF-T band will provide the City of Methuen with full interoperability with our police department as well as with surrounding towns and cities.

Upon the grant of the initial UHF-T band license WQON661, the City of Methuen proceeded in the substantial financial investment in a new UHF-T band communications system. Shortly after this license grant, the City of Methuen was advised that their new main repeater pair that was assigned to this license was, in fact, from an expired license from the neighboring City of Lawrence. In the interest of mutual cooperation and to provide the least disruption in service to both cities, it was agreed that the City of Lawrence would authorize the City of Methuen use of their secondary police frequency pair 484.925 / 487.925 MHz in exchange for the City of Methuen's authorization of Lawrence's primary police repeater pair 482.5625 / 485.5625 MHz. A Letter of Concurrence was provided to the City of Lawrence for its use of the City of Methuen's newly licensed 482.5625 / 485.5625 MHz frequency pair. A Letter of Concurrence from the City of Lawrence was submitted with pending application 0005064702 on February 7, 2012 to allow the City of Methuen to add the frequency pair 484.925 / 487.925 MHz to their license. Eleven weeks later, on April 26, 2012, the Wireless Telecommunications Bureau and the Public Safety and Homeland Security Bureau issued a public notice announcing a limited

suspension of the acceptance and processing of certain applications for Part 22 and Part 90 services, operating in the 470-512 MHz spectrum band (T-Band), that could alter the spectrum landscape. The frequency pair being requested is currently licensed to the bordering municipality, the City of Lawrence, so no operational footprint change would occur.

The City of Methuen's intention is to remove the former Lawrence primary police repeater pair 482.5625 / 485.5625 MHz from the license once this pending application was processed. Shortly after the submittal of application 0005064702, the FCC froze all applications within the UHF-T band, preventing the City of Methuen from proceeding with use of the 484.925 / 487.925 MHz frequency pair. Since the City of Methuen's use of this frequency pair is prevented by the FCC license application freeze, the City cannot proceed with final system cutover of our new system.

We respectfully request a waiver to process and approve this pending application to permit the City of Methuen to use the 484.925 / 487.925 MHz frequency pair. It is in the best interest of the public to allow this license change by (1) improving the reliability of its public safety radio system from its legacy VHF radio communications system that could not be narrow-banded due to equipment age, (2) providing the City of Methuen with an interoperable radio communications system, (3) enabling additional key features such as emergency alerts and GPS tracking that were not available on its legacy VHF system.

Since the initial UHF-T band license was officially granted, the City of Methuen proceeded to procure and has installed new infrastructure and subscriber radio equipment. Granting of this waiver request will allow the City of Methuen to complete its upgrade of its radio communications in a timely fashion.

Thank you in advance for your prompt consideration of this request.

Respectfully,

A handwritten signature in black ink, appearing to read "S. R. Buote", written over a horizontal line.

Steven R. Buote, Fire Chief
Methuen Fire Department